

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

v.

**Affirmation in Support of  
Application for Order of Continuance**

DON LICHTERMAN,

**14 Mag. 2338**

*Defendant.*

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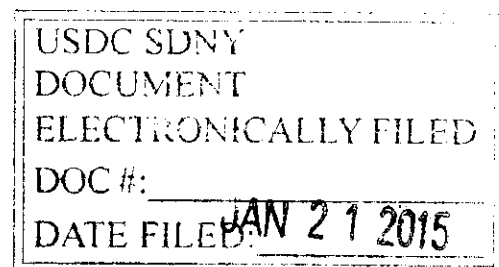
State of New York )  
County of New York ) ss.:  
Southern District of New York )

Shawn Crowley, pursuant to Title 28, United States Code, Section 1746, hereby declares under penalty of perjury:

1. I am an Assistant United States Attorney in the Office of Preet Bharara, United States Attorney for the Southern District of New York. I submit this affirmation in support of an application for an order of continuance of the time within which an indictment or information would otherwise have to be filed, pursuant to 18 U.S.C. §3161(h)(7)(A).

2. The defendant was charged in a complaint dated December 5, 2014, with violations of 18 U.S.C. §§ 505 and 1028(a). The defendant was arrested on December 22, 2014, and was presented before Magistrate James C. Francis IV on December 22, 2014. The defendant was represented by Thomas A. Kenniff, Esq., and was ordered released on a \$150,000 bond, with two financially responsible co-signers, strict pre-trial supervision, surrender of all travel documents with no new applications for such documents, and with his travel restricted to the Southern and Eastern Districts of New York and the District of New Jersey.

3. Under the Speedy Trial Act the Government had until January 21, 2015 within which to file an indictment or information.

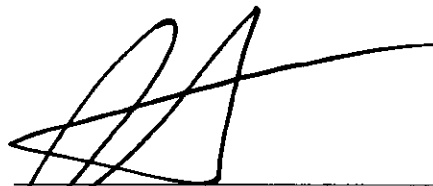


4. Mr. Kenniff and I have been engaged in negotiations concerning a potential disposition of this matter. We have engaged in those discussions as recently January 17, 2015. The parties do not anticipate that a disposition will be reached by January 21, 2015, and desire to continue those negotiations.

5. Therefore, the Government is requesting a 30-day continuance until February 20, 2015 to continue the foregoing discussions and reach a disposition of this matter. On January 17, 2015, I personally communicated with defense counsel who specifically consented to this request.

6. For the reasons stated above, the ends of justice served by the granting of the requested continuance outweigh the best interests of the public and defendant in a speedy trial.

Dated: New York, New York  
January 21, 2015

  
Shawn Crowley  
Assistant United States Attorney  
(212) 637-1034